

Endorsement No. 83, dated the 23rd January, 1987.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

No. 9/3/87-6 Lab./884.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s Acme Engineering, Plot No. 4, Opposite East India, N. I. T., Faridabad.

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT, FARIDABAD

Reference No. 437 of 1986

between

SHRI RAM BADAN, WORKMAN AND THE RESPONDENT-MANAGEMENT OF
M/S ACME ENGINEERING PLOT NO. 4, OPPOSITE EAST INDIA,
N.I.T., FARIDABAD.

Present.—

None for the workman.

Shri Satish Ahuja, the for respondent.

AWARD

This reference under section 10(1)(c) of the Industrial Dispute Act, 1947 (Act No. 14 of 1947) as amended from time to time as the said Act was made to this Court by the State of Haryana (Department or Labour),—vide its endorsement No. ID/FD/21-86/38700-705, dated 15th October, 1986 to adjudicate upon the dispute of service matter covered by Second Schedule under section 7 of the said Act, arisen between Shri Ram Badan, workman and the respondent-management of M/s Acme Engineering, Plot No. 4, Opposite East India, N.I.T., Faridabad. Accordingly, it has been registered as reference No. 437 of 1986.

2. Ram Badan, workman was summoned on 19th November, 1986 for 10th December, 1986 but he has not appeared and case was fixed for today for his appearance But he has not turned up. The reference is accordingly answered to the effect that workman is not interested to pursue the same.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

Dated the 8th January, 1987.

Endorsement No.82, dated the 23rd January, 1987.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

No. 9/3/87-6Lab./885.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s. Nanak Dairy Plant, G.T. Road, Hodel, Faridabad.

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 272 of 1986

between

SHRI SHER SINGH, WORKMAN AND THE RESPONDENT-MANAGEMENT OF M/S. NANAK
DAIRY PLANT, G.T. ROAD, HODEL, FARIDABAD.

Present :—

None for the workman.

Shri H. S. Kaushik, for the respondent.

AWARD

This reference under section (10)(1)(c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947), as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—*vide* its endorsement No. ID/FD/49-86/28092—97, dated 5th August, 1986 to adjudicate upon the dispute of service matter covered by Second Schedule under section 7 of the said Act, arisen between Shri Sher Singh, workman and the respondent-management of M/s Nanak Dairy Plant, G.T. Road, Hodel, Faridabad. Accordingly, it has been registered as reference No. 272 of 1986.

2. Workman has not turned up. From the side of respondent Shri Kaushik is present. It means that the workman is not interested to pursue the reference and as such the same is answered against him.

Dated the 16th January, 1987.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

Endorsement No. 80, dated 23rd January, 1987.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

No. 9/3/87-6Lab./886.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the Management of M/s. Tractel Tirfor India Pvt. Ltd., 14/6, Mathura Road, Faridabad.

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 316 of 1986

between

SHRI MAN BAHADUR, WORKMAN AND THE RESPONDENT-MANAGEMENT OF
M/S TRACTEL TIRFOR INDIA PVT. LTD., 14/6, MATHURA ROAD, FARIDABAD.

Present :—

None for the parties.

AWARD

This reference under section 10 (1) (c) of the Industrial Disputes Act, 1947 (Act No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—vide its endorsement No. ID/FD/134/86/33964-69, dated 16th September, 1986, to adjudicate upon the dispute of service matter covered by Second Schedule under section 7 of the said Act, arisen between Shri Man Bahadur, workman and the respondent-management of M/s. Tractel Tirfor India Pvt. Ltd., 14/6, Mathura Road, Faridabad. Accordingly, it has been registered as reference No. 316 of 1986.

2. Nobody has turned up. On the last date on behalf of the management documents were produced to the effect that matter in dispute has since been settled with the workman and payment has also been made to him. The workman has not turned up. The reference is accordingly answered to the effect that parties have since settled the matter in dispute and no further action is needed.

Dated the 9th January, 1987.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

Enforcement No. 81, dated 23rd January, 1987.

Forwarded (For copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of Industrial Disputes Act,

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

No. 9/3/87-6Lab./887.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Perfect Pack Ltd. (Paper Division), 27, Industrial Area, Faridabad.

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 371 of 1986

between

SHRI TAKI AHMAD, WORKMAN AND THE RESPONDENT-MANAGEMENT
OF M/S PERFECT PACK LTD. (PAPER DIVISION), 27, INDUSTRIAL
AREA, FARIDABAD

Present:—

None for the parties.

AWARD

This reference under Section 10(1)(c) of the Industrial Disputes Act, 1947 (Act No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—vide its endorsement No. ID/FD/108-86/36170-175, dated 29th September, 1986, to adjudicate upon the dispute of service matter covered by Second Schedule under section 7 of the said Act, arisen between Shri Taki Ahmad and the respondent-management of M/s Perfect Pack Ltd. (Paper Division), 27, Industrial Area, Faridabad. Accordingly, it has been registered as reference No. 371 of 1986.

No body has appeared for the workman. The case was called many a times. It means that the workman is not interested to pursue the reference and the same is hereby filed.

Dated the 13th January, 1987.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

Endst. No. 78, dated 23rd January, 1987

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

No. 9/3/87-Lab./888.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s. Electrofarmers India Plot No. 85, Sector 24, Faridabad.

IN THE COURT OF SHRI A.S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 655 of 1985

between

SHRI VASHISHT, WORKMAN AND THE RESPONDENT-MANAGEMENT OF
M/S ELECTROFARMERS INDIA, PLOT NO. 85, SECTOR 24, FARIDABAD

Present :

Shri Manohar Lal, for the workman

Shri Jagbir Bhadana, for the respondent.

AWARD

This reference under section 10 (1) (c) of the Industrial Disputes Act, 1947 (Act No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—*vide* its endorsement No. ID/FD/96-85/40317—22, dated 30th September, 1985 to adjudicate upon the dispute of service matter covered by Second Schedule under section 7 of the said Act, arisen between Shri Vashisht workman, and the respondent-management of M/s. Electrofarmers India, Plot No. 85, Sector 24, Faridabad. Accordingly, it has been registered as reference No. 655 of 1985.

2. It has been claimed by Shri Vashisht that he was employed by the respondent about two year, ago as a Grinderman and his monthly pay was Rs. 200. His allegations are that his services were terminated by the respondent on 7th February, 1985. The allegations are that order of termination is null and void and against the principles of natural justice and as such he be reinstated in his job with full back wages and further with continuity of service.

3. The defence taken by the respondent is that he never remained in its service and he is simply harassing them with ulterior motives. By way of rejoinder he has repeated his claim as allegations.

4. On the pleadings of the parties, my learned predecessor had framed the following material issues on 7th January, 1986 :—

- (i) Whether there is no relationship of employer and employee between the parties.
- (ii) Whether Estt. is covered under the Punjab Shops and Commercial Estt. Act ? If so, to what effect?
- (iii) As per reference?

5. In support of the defence respondent has examined Shri Varriar, partner of the respondent. On the other hand there is statement of Shri Vashist also.

6. I have heard the parties as represented above. The findings are as below :—

7. Issue No. 1 :—On one hand it has been claimed by Shri Vishist that he was employed, by the respondent about two years ago. On the other hand the plea taken by the respondent is

that he never remained in its service. Now it is a question of fact as to whether he never remained in service of the respondent. Shri Vishist has not placed any document on file in support of his claim. On the other hand the respondent has placed on file voucher Ex. M-4 to the effect that this Vishist was in the service of Varriar Brother and on 7th November, 1984 payment was made to him. It was put to Vashist also he has admitted that he was in the service of Varriar Brothers. It has been pointed out by MW-1, that Varrior Brothers owed by his brother and not by him. In this manner the matter is quite clear to the effect that Vashist never remained in the service of the respondent. In Support of it preference can be made to Ex. M-1 to M-3 since according to the same there were only 4 employees of the respondent and name of Vishisht does not figure anywhere. on the face of it there were no relationship of employer and employee between the parties and the said issue is hereby answered in favour of the respondent and against the workman.

8. In view of the above findings, there is hardly any necessary to touch the remaining issues. The reference is accordingly answered and disposed of.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

Dated, the 22nd January, 1987.

Endst. No. 105, dated the 29th January, 1987.

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

No. 9/3/87-6Lab./889.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Injecto Ltd., 20/5, Mathura Road, Faridabad:—

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER,
LABOUR COURT, FARIDABAD

Reference No. 40 of 1986

between

SHRI RAVINDER MISHRA, WORKMAN AND THE RESPONDENT-MANAGEMENT
OF M/S INJECTO LTD., 20/5, MATHURA ROAD, FARIDABAD

Present:

Workman in person.

Shri Bhupinder Singh, for the respondent-management.

AWARD

This reference under section 10(1)(c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947), as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—vide its endorsement No. ID/FD/52089—93, dated 24th December, 1986 to adjudicate upon the dispute of service matter covered by Second Schedule under section 7 of the said Act, arisen between Shri Ravinder Mishra, workman and the respondent-management of M/s. Injecto Ltd., 20/5, Mathura Road, Faridabad. Accordingly, it has been registered as reference No. 40 of 1986.

2. This reference is fixed on 29th January, 1987, and the same have been taken up on the application of the parties. It has been stated by the workman that he has since settled the service matter in dispute with the respondent and has accepted Rs 6,000 as compensation for full and final settlement thereof. In view of it, he does not want to pursue the reference further. It is accordingly answered to the effect that the parties have since settled the same and no further action is needed.

A. S. CHALIA,

Presiding Officer,
Labour Court, Faridabad.

Dated, the 21st January, 1987.